GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

TWD - Suits -High Court of A.P- W.P.No. 5023/03 filed by Smt. Atluri Prabhavathi @ Sati Anasuya against the orders of GOMs No. 117, dt: 05-11-2002-Reconsideration of the Revision Petition - Revised orders – Issued.

SOCIAL WELFARE (TW.LTR.1) DEPARTMENT

G.O.MS.No. 97 Dated: 02-07-2018
Read the following:-

1) Orders of the Special Deputy Collector (TW), Kota Ramachandrapuram in S.R. No.154/96, dt.16.09. 1997.
2) Orders of the District Collector, West Godavari District, in SRA No.20/97, dt.29.12.2000.
3) R.P. filed by Smt. Atluri Prabhavathi @ Sati Anasuya, dt: 14-05-2001.
4) G.O.Ms. No. 117 (LTR-1), Dated: 05-11-2002.
5) Order of the H.C. A.P. in W.P.No. 5023, Dated: 13-11-2008.
6) Govt. Memo.No.4947/LTR-1/2003, Dt.08.12.2009.
7) From the Tahsildar, Buttaigudem, Lr.Roc.No.83/2010/A, dt.17.03.2010.
8) From the District Collector, West Godavari District, Roc.No.6173/2006F4, dt.18.03.2010.

ORDER:

In the reference 3rd read above, Smt. Atluri Prabhavathi @ Sati Anasuya has filed Revision Petition before the Government against the orders of the Agent to Government, West Godavari District in SRA No. 20/97 dt: 29/12/2000 in respect of land of Ac. 7-71 Cts in R.S. No. 220 of Antarvedigudem (V), Buttaigudem (M), West Godavari District.

2. In her Revision Petition, among other things, Smt. Atluri Prabhavathi has stated that her name is Atluri Prabhavathi @ Sati Anasuya W/o Satyanarayana R/o Dhoramamidi (V), Buttaigudem (M), West Godavari District and she got the P.S land from her ancestors and Ryotwari Patta has been granted by the Director of Settlements in order No. A.P. No. 45/87-C2 dt: 24-6-1995, wherein her name was mentioned as Atluri Sati Anasuya W/o Satyanarayana against Appellants, however, in para 5 of the said order, her name was mentioned as Atluri Prabhavathi. that ignoring the documental reference evidence produced by her to the effect that Smt. Atluri Prabhavathi W/o Satyanarayana and Smt. Atluri Sati Anasuya, W/o Satyanarayana are one and the same but not different individuals, the lower court i.e Special Deputy Collector (TW), Kota Ramachandrapuram in his order dt: 16/9/1997 in S.R.No. 154/96 in the reference 1st read above, has ordered for her ejectment from the P.S land, stating that the Director of Settlement granted a Ryotwari Patta to Sri Ventrapragada Ammiraju and 5 others, and the name of Atluri Prabhavathi was not mentioned as one of the appellant in A.P. No. 45/87. But in Adangal for F. 1404 the name of Atluri Prabhavathi was entered in Adangal recently. Therefore the individual acquired the P.S land in contravention of LTR 1/1959 as amended by Regulation 1/70 and that the Agent to Government, West Godavari District has confirmed the said orders in his orders dt: 29/12/2000 in SRA No.20/97 in the reference 2nd read above.

3. Government after careful examination of the Revision Petition and after giving reasonable opportunity to the petitioner, has confirmed the orders of Agent to Government in SRA No.20/97 dt: 29/12/2000 and dismissed the Revision Petition vide reference 4th read above.

4. The Petitioner has filed a writ before the Hon'ble High Court of A.P against the Government orders. The Hon'ble High Court of A.P in its order in the reference 5th read above duly set-a-side the G.O remitted the case back to the Government

(P.T.O)

for fresh consideration as the Government while disposing of the Revision Petition has not given any reasons except observing that the lower authorities have passed orders correctly.

5. Accordingly Government have re-examined the Revision Petition, and requested the District Collector, West Godavari District in the reference 6th read above to take up first Land enquiry in the village (by MRO) and clarify whether the name of Atluri Prabhavathi @ Sati Anasuya are one and the same and furnish relevant documents along with the factual report so as to dispose off the Revision Petition as per the orders of Hon'ble High Court of A.P.

6. The District Collector, West Godavari, Eluru in the reference 8th read above, has stated that in the reference 7th read above it was reported by the Tahsildar, Buttaigudem that he has conducted a Panchanama in the village before the elders of Doramamidi (V) and that the village elders stated that Smt. Atluri Prabhavathi @ Sati Anasuya, W/o Satyanarayana are one and same.

7. Government after careful examination with reference to the report of the District Collector, West Godavari, Eluru, has observed that Smt. Atluri Prabhavathi W/o Satyanarayana and Smt Atluri Sati Anasuya, W/o Satyanarayana are one and the same, but not different individuals. The petitioner got the P.S land from her ancestors and Ryotwari Patta has been granted by the Director of Settlements in order No. A.P. No. 45/87-C2 dt: 24-6-1995, wherein her name was mentioned as Atluri Sati Anasuya, W/o Satyanarayana against Appellant, however, in para 5 of the said order her name was mentioned as Atluri Prabhavathi. The panchanama of the villagers and report of the District Collector, West Godavari also confirm that Smt. Atluri Prabhavathi W/o Satyanarayana and Smt. Atluri Sati Anasuya W/o Satyanarayana are one and the same. Therefore there is no violation of LTR in respect of the PS land.

8. In view of the above Government after careful examination of all material evidences of documents, hereby set aside the orders of Agent to Government, Eluru in SRA No. 20/90 dt: 29/12/2000 and dispose of the Revision Petition accordingly.

9. The Collector, West Godavari and Agent to Government, Eluru it requested to take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S.RAWAT
PRINCIPAL SECRETARY TO GOVERNMENT

To
The District Collector, West Godavari District, Eluru.
The Special Deputy Collector (TW), Kota Ramachandrapuram, West Godavari District.

Copy to
Sri. Naram Nageswara Rao, Advocate, Flot No. 201, AMR Residency, St. No. 1, Chikkadapally, Hyderabad
Smt. Atluri Prabhavathi W/o Satyanarayana, R/o Doramamidi (V), Buttaigudem (M), West Godavari District.
The Tahsildar, Buttaigudem (M), West Godavari District.
The G.P for SW, HC of A.P, Hyderabad.
The P.S to Minister (TW) for information.
The P.S to Principal Secretary to Government (TW).

// FORWARDED:: BY ORDER //

SECTION OFFICER